

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Robert Adell Brown,	)	
	)	
Plaintiff,	)	<b>ORDER RESCHEDULING</b>
	)	<b>STATUS CONFERENCE</b>
vs.	)	
	)	
Flying J Incorporated,	)	
	)	Case No. 1:08-cv-059
Defendant.	)	

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The court had scheduled a telephone status conference for December 12, 2008, at 10:00 a.m. When it could not reach Plaintiff at the scheduled time, it entered an order (1) rescheduling the status conference for January 12, 2009, at 10:00 a.m., and (2) directing Plaintiff to provide the court with a current telephone number at which he may be reached.

The court convened a status conference on January 12, 2009. Attorneys Joseph R. Hugg and Robert B. Worley, Jr. appeared on Defendant's behalf and advised the court that Defendant had yet to receive Plaintiff's initial Rule 26 disclosures. Plaintiff failed to appear; he could not be reached at the telephone number he had provided the court.

The court shall reschedule the status conference for January 28, 2009, at 10:00 a.m. The conference shall be conducted by telephone conference call to be initiated by the court. Plaintiff's complaint shall be subject to dismissal for failure to prosecute if he does not provide Defendant with his initial disclosures as required by Fed. R. Civ. P. 26 prior to the conference and fails to appear as scheduled. **IT IS SO ORDERED.**

Dated this 13th day of January, 2009.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge